

10/519545

Atty. Dkt. No. 81356/228

DT01 Rec'd PCT/PTO 28 DEC 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Takehiko SAHARA et al.
Title: YEAST-DERIVED PROMOTERS, AND THE VECTORS AND
EXPRESSION SYSTEMS USING THE PROMOTERS
Appl. No.: Unassigned
Int'l Appln. No: PCT/JP03/05956
Int'l Appln. Filing Date: May 13, 2003
Examiner: Not yet assigned
Art Unit: Not yet assigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

The documents being cited in the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding international application. A copy of the International Search Report is attached setting forth the portion of the documents considered relevant by the examiner. A copy of the cited references listed in the Search Report is not being submitted herewith.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 28 December 2004

By Stephen A. Bent

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: December 28, 2004 <i>(use as many sheets as necessary)</i>				Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">Unassigned 10/519545</td> </tr> <tr> <td>Filing Date</td> <td>12/28/2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Takehiko SAHARA et al.</td> </tr> <tr> <td>Group Art Unit</td> <td>Unassigned</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>081356-0228</td> </tr> </table>		Application Number	Unassigned 10/519545	Filing Date	12/28/2004	First Named Inventor	Takehiko SAHARA et al.	Group Art Unit	Unassigned	Examiner Name	Unassigned	Attorney Docket Number	081356-0228
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1		JP 8-9977 A		Kirin Brewery Co., Ltd.	1/16/1996		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A2	International Search Report of PCT/JP03/05956	
	A3	J.C. VARELA et al., "The Saccharomyces cerevisiae HSP12 gene is activated by the high-osmolarity glycerol pathway and negatively regulated by protein kinase A", Mol. Cell. Biol., 1995, Vol. 15, No. 11, pp. 6232-6245.	
	A4	E. DE GROOT et al., "Very low amounts of glucose cause repression of the stress-responsive gene HSP12 in Saccharomyces cerevisiae", Microbiology, 2000, Vol. 146, No. 2, pp. 367-375.	
	A5	T. SAHARA et al., "Comprehensive expression analysis of time-dependent genetic responses in yeast cells to low temperature", J. Biol. Chem., 2002, December, Vol. 277, No. 51, pp. 50015-50021.	
	A6	L. ZHANG et al., "Multiple mechanisms regulate expression of low temperature responsive (LOT) genes in Saccharomyces cerevisiae", Biochem Biophys Res Commun, 2001, Vol. 283, No. 2, pp. 531-535.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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